



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, June 14, 2022

City Hall Council Chambers, 4th floor
6500 Palma Avenue, Atascadero, California

City Council Regular Session:

6:00 P.M.

City Council Closed Session:

Immediately following
the conclusion of the City
Council Regular Session

REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:01 p.m. and Mayor Pro Tem Newsom led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Bourbeau, Dariz, and Funk (by teleconference), Mayor Pro Tem Newsom and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Fire Chief Casey Bryson, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager Terrie Banish, Senior Planner Kelly Gleason and IT Systems Administrator III David Anastasia

APPROVAL OF AGENDA:

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Newsom to:

1. Approve this agenda; and,
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by

the City Clerk at the first reading, after the motion and before the City Council votes.
Motion passed 5:0 by a roll-call vote.

CLOSED SESSION – REPORT (IF ANY)

1. May 24, 2022

City Attorney Pierik noted that there was no reportable action.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – May 24, 2022

- Recommendation: Council approve the May 24, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

2. March 2022 Investment Report

- Fiscal Impact: None.
- Recommendation: Council receive and file the City Treasurer's report for quarter ending March 31, 2022. [City Treasurer]

3. 2022-2023 Annual Spending Limit

- Fiscal Impact: None.
- Recommendation: Council adopt the attached Draft Resolution establishing the annual spending limit for fiscal year 2022-2023. [Administrative Services]

4. Authorizing Temporary Road Closures for 2022 Hot El Camino Cruise Nite and Colony Days Parade Route

- Fiscal Impact: Cruise Nite incurs no net fiscal impact. The City cost of conducting the event is approximately \$15,000 and is included in the adopted budget. It is anticipated that these costs will be fully recovered through budgeted sponsorships and entry fees.
- Recommendation: Council:
 1. Adopt Draft Resolution A authorizing temporary road closures and restrictions on August 19, 2022 for the Hot El Camino Cruise Nite.
 2. Adopt Draft Resolution B authorizing temporary road closures and restrictions on October 1, 2022 for the Colony Days Parade Route. [Public Works]

6. General Municipal Election – November 8, 2022

- Fiscal Impact: \$40,000.
- Recommendations: Council adopt the following Resolutions for the purpose of electing a Mayor, two members to the City Council, and a City Treasurer:
 1. Draft Resolution A, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2022 for the election of a Mayor, two Council Members, and a City Treasurer
 2. Draft Resolution B, requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 8, 2022. [City Clerk]

7. AB 481 – Military Equipment Policy

- Fiscal Impact: None.
- Recommendation: Council adopt on second reading, by title only, a Draft Ordinance adopting a Military Equipment Policy in accordance with Assembly Bill 481. [Police Department]

8. Virtual Meetings – AB 361 Requirements

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution making findings consistent with the requirements of AB 361 to continue to allow for the conduct of virtual meetings. [City Manager]

9. Centennial Plaza Surplus Land Declaration Zone Change (ZCH) 22-0022 5901 West Mall

- Fiscal Impact: None.
- Recommendation: Council adopt a Resolution declaring the vacant parcels of land surrounding Centennial Plaza location in Downtown and owned by the City of Atascadero as surplus land. [Community Development]

10. Priority Legislative Budget Project – Delegation of Authority Downtown Infrastructure Enhancement Plan Project

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving delegation of authority to the City Manager or her designee for executing Priority Legislative Budget Project documents associated with the Downtown Infrastructure Enhancement Plan Project. [Public Works]

11. Legal Services Budget

- Fiscal Impact: \$100,000 in FY 21-22 and \$135,000 in FY 22-23.
- Recommendation: Council authorize the Director of Administrative Services to appropriate an additional \$100,000 in General Fund Reserves for legal services in FY 21-22 and \$135,000 in FY 22-23. [City Attorney]

Deputy City Manager/City Clerk Christensen reported that staff would be pulling Consent Item #A-2 and bringing it back for Council review at a later date.

Council Member Funk asked a brief question on Item #A-11 regarding the additional budget request, which was answered by City Manager Rickard.

Council Member Bourbeau removed Item #A-5 for separate vote and noted that this item covers a project on his street and while there is no conflict, he will abstain from voting on the item.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to approve Consent Calendar Items Nos. A-1, A-3, A-4, and A-6 through A-11. (#A-3: Resolution No. 2022-039) (#A-4: Resolution Nos. 2022-040 and 2022-041) (#A-6: Resolution Nos. 2022-042 and 2022-043) (#A-7: Ordinance No. 656) (#A-8: Resolution No. 2022-044) (#A-9: Resolution No. 2022-045) (#A-10: Resolution No. 2022-046)
Motion passed 5:0 by a roll-call vote.

5. 2022 Measure F-14 Pavement Rehabilitation Construction Award

- Fiscal Impact: \$2,761,237.
- Recommendations: Council:
 1. Award a construction contract for \$2,761,237 to Souza Construction for the 2022 Measure F-14 Pavement Rehabilitation Project (Project No. C2021R01).
 2. Authorize the Director of Administrative Services to allocate an additional \$600,000 in Measure F-14 fund balance to the 2022 Measure F-14 Pavement Rehabilitation Project. [Public Works]

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to:

1. **Award construction Contract No. 2022-007 for \$2,761,237 to Souza Construction for the 2022 Measure F-14 Pavement Rehabilitation Project (Project No. C2021R01).**
2. **Authorize the Director of Administrative Services to allocate an additional \$600,000 in Measure F-14 fund balance to the 2022 Measure F-14 Pavement Rehabilitation Project.**

Motion passed 4:0 by a roll-call vote. Bourbeau abstain.

UPDATES FROM THE CITY MANAGER:

City Manager Rickard presented the following employees with Service Awards:

- **5 Years:** Justin Kamp, Wastewater Treatment Plant Operator II
Andrew Hawkins, Fire Engineer
Jackson Light, Fire Engineer
Craig Martineau, Police Officer
- **20 Years:** Jennifer Fanning, Recreation Supervisor

Mayor Moreno presented the following employee with a Service Award:

- **25 Years:** Rachelle Rickard, City Manager

Following Employee Recognition, City Manager Rickard gave an update on projects and events within the City.

COMMUNITY FORUM:

The following persons spoke in-person, by telephone or through the webinar: Zach Jackson, Audrey Taub, Kevin Campion, and Chris Farris

B. PUBLIC HEARINGS:

1. Apple Valley Assessment Districts

- Fiscal Impact: Annual assessments for 2022/2023 will total \$38,500 for road/drainage system maintenance and \$63,000 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in

Apple Valley. Contributions of \$11,000 for half the cost of the park will be made from the City's General Fund, and an equal revenue source will be recognized from contributions made by the developer.

▪ Recommendations: Council:

1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2022/2023.
2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2022/2023 for Street and Storm Drain Maintenance District No. 01 (Apple Valley).
3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2022/2023.
4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 01 (Apple Valley). [Administrative Services]

Ex Parte Communications

Administrative Services Director Rangel gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following persons spoke in-person, by telephone or through the webinar: None

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Newsom to:

1. Adopt Resolution No. 2022-047 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2022/2023.
2. Adopt Resolution No. 2022-048 ordering the levy and collection of assessments for fiscal year 2022/2023 for Street and Storm Drain Maintenance District No. 01 (Apple Valley).
3. Adopt Resolution No. 2022-049 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2022/2023.
4. Adopt Resolution No. 2022-050 ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 01 (Apple Valley).

Motion passed 5:0 by a roll-call vote.

2. De Anza Estates Assessment Districts

- Fiscal Impact: Annual assessments for 2022/2023 will total \$30,562 for road/drainage system maintenance and \$15,875 for landscape and lighting

maintenance. These amounts will be assessed to the owners of parcels in De Anza Estates. The City General Fund will contribute \$1,400 for the fiscal year 2022/2023 for half of the maintenance costs of the trails and open space.

- Recommendations: Council:
 1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2022/2023.
 2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2022/2023 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates).
 3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2022/2023.
 4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 03 (De Anza Estates). [Administrative Services]

Ex Parte Communications: None.

Administrative Services Director Rangel gave the staff report.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to:

1. Adopt Resolution No. 2022-051 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2022/2023.
2. Adopt Resolution No. 2022-052 ordering the levy and collection of assessments for fiscal year 2022/2023 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates).
3. Adopt Resolution No. 2022-053 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2022/2023.
4. Adopt Resolution No. 2022-054 ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 03 (De Anza Estates).

Motion passed 5:0 by a roll-call vote.

3. Woodridge (Las Lomas) Assessment Districts

- Fiscal Impact: Annual assessments for 2022/2023 will total \$99,189 for road/drainage system maintenance and \$70,452 for landscape and lighting

maintenance. These amounts will be assessed to the owners of parcels in Las Lomas (Woodridge). The City General Fund will contribute \$2,600 for the fiscal year 2022/2023 for 25% of the maintenance costs of the trails and open space.

▪ Recommendations: Council:

1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto for Fiscal Year 2022/2023.
2. Adopt Draft Resolution B ordering the levy and collection of assessments for Fiscal Year 2022/2023 for Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas).
3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto in Fiscal Year 2022/2023.
4. Adopt Draft Resolution D ordering the levy and collection of assessments for Fiscal Year 2022/2023 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas). [Administrative Services]

Ex Parte Communications: None. Mayor Moreno did note that all Council Members received a copy of an email from a Las Lomas resident in opposition to the assessment.

Administrative Services Director Rangel gave the staff report.

PUBLIC COMMENT:

The following citizens spoke on this item: Vy Pierce

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to:

1. Adopt Resolution No. 2022-055 approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto for fiscal year 2022/2023.
2. Adopt Resolution No. 2022-056 ordering the levy and collection of assessments for fiscal year 2022/2023 for Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas).
3. Adopt Resolution No. 2022-057 approving the final Engineer's Report regarding the Landscaping and Lighting District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto in fiscal year 2022/2023.
4. Adopt Resolution No. 2022-058 ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas).

Motion passed 5:0 by a roll-call vote.

4. Downtown Parking & Business Improvement Area (DPBIA) Confirmation of Annual Assessment (FY 2022-2023)

- Fiscal Impact: Adopting the staff recommendation will result in the collection of approximately \$12,800 and expenditure of \$12,820 in budgeted DPBIA funds.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2022-2023). [City Manager]

Ex Parte Communications: None

Deputy City Manager Banish gave the staff report.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to adopt Resolution No. 2022-059 confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2022-2023).
Motion passed 5:0 by a roll-call vote.

5. Atascadero Tourism Business Improvement District (ATBID) Confirmation of Annual Assessment (Fiscal Year 2022-2023)

- Fiscal Impact: Annual assessments for 2022-2023 are expected to be approximately \$298,170 (or higher based on the current trend) and will be assessed as 2% of the rent charged on the occupied rooms and spaces for transient services.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2022-2023). [City Manager]

Ex Parte Communications: None

Deputy City Manager Banish gave the staff report.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to adopt Resolution No. 2022-060 confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2022-2023).
Motion passed 5:0 by a roll-call vote.

6. Amendments and Additions to Fee Schedule

- Fiscal Impact: The fiscal impact of the fee update is unknown; however, revenues are expected to increase with adoption of the draft fee schedule and fees will be more

fairly allocated based changes that have occurred in the economy, City staffing, City procedures, and regulations since the last Cost Study was completed.

- Recommendation: Council adopt Draft Resolution A establishing a schedule of Fees and Charges for City Services. [Administrative Services]

Ex Parte Communications: None

Administrative Services Director Rangel gave the presentation and answered questions from the Council. Eric Johnson, with Cost Revenue Specialists, and Senior Planner Gleason also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to adopt Resolution No. 2022-061 establishing a schedule of Fees and Charges for City Services with the following changes to Exhibit A (Draft Fee Schedule):

- Fee 22-091B (Day Care/Group Home Inspection/Schools):
Inspection - \$50 per permit for Day Care
- Fee 22-018 (Zoo Admissions): \$12 General and \$10 Senior

Motion passed 5:0 by a roll-call vote.

C. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. Regional Economic Action Coalition (REACH)

Mayor Pro Tem Newsom

1. Design Review Committee

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)
2. SLO Council of Governments (SLOCOG)

Council Member Dariz

1. Air Pollution Control District
2. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Funk

1. Homeless Services Oversight Council

D. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. City Council – Mayor Moreno reported that the City of Paso Robles has requested Atascadero send a letter in support of the State Route 46 Multi-modal Corridor Improvement Project to further the City of Paso Robles Spaceport efforts.

E. RECESS TO CLOSED SESSION FOLLOWING CONCLUSION OF CITY COUNCIL REGULAR SESSION

Mayor Moreno recessed the Regular Meeting at 8:01 p.m. and called the Closed Session Meeting to order at 8:09 p.m.

COUNCIL CLOSED SESSION:

1. CLOSED SESSION -- PUBLIC COMMENT - None
2. COUNCIL LEAVES TO BEGIN CLOSED SESSION
3. CLOSED SESSION -- CALL TO ORDER
 - a. **Conference with Real Property Negotiators**
(Govt. Code 54956.8)
Real Property: 5970 El Camino Real (APN 030181031)
Agency Negotiator: Rachelle Rickard, City Manager
Negotiating Parties: Fred C. Pflum Revocable Trust
Subject of Negotiations: Purchase price and/or terms of payment
4. CLOSED SESSION – ADJOURNMENT

F. ADJOURN

Following Closed Session, the meeting was adjourned at 8:32 pm; no reportable action.

MINUTES PREPARED BY:



Lara K. Christensen
City Clerk

APPROVED: June 28, 2022.